

Norway's approach in supporting occupational safety and health compliance: role of the labour inspectorate and prevention services

Summary

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The rapidly evolving world of work, especially as regards new forms of employment, business models, the nature of work and the effects of globalisation, poses many challenges in regard to compliance with occupational safety and health (OSH) regulations and improvement of OSH. The European Agency for Safety and Health at Work's (EU-OSHA) report titled 'Improving compliance with occupational safety and health regulations: an overarching review', published in 2021, underlines the lack of data, information and knowledge about the roles of labour inspectorates and prevention services in supporting OSH compliance at the EU level. As a result, EU-OSHA decided to carry out country case studies in Norway, Germany, Poland, Portugal and Ireland followed by a comparative analysis of these five countries. This report¹ presents the findings of the research project carried out in Norway.

The Norwegian Labour Inspection Authority is a governmental agency under the Ministry of Labour and Social Inclusion. The Authority has approximately 600 employees and consists of a central office — the Directorate — seven regional offices and 16 local offices throughout the country. The Working Environment Act (WEA) is the most important regulation on OSH in Norway. In this project, we concentrate on the following two activities:

- traditional and innovative enforcement activities carried out by the Labour Inspection Authority; and
- day-to-day activities carried out by internal or external prevention services.

The purpose of this study is to explore different initiatives to reconsider enforcement methods and to develop responsive strategies for effective utilisation. This study includes a country report, as well as six case studies² based on interviews with a total of 27 key informants. In addition, two policy briefs³ were developed on the role of the labour inspectorate and prevention services in supporting compliance.

Every year, the Norwegian Labour Inspection Authority receives an allotment letter from the Ministry of Labour and Social Inclusion. This letter includes a financial framework and states the ministry's priorities for the Labour Inspection Authority, including targets, and reporting requirements for the following year. The Authority's main targets throughout the past three years have remained the same: (1) preventive OSH, (2) serious and decent working conditions, and (3) social dumping and work-related crime.

¹ The full report is available at: https://osha.europa.eu/en/publications/norways-approach-supporting-occupational-safety-and-health-compliance-role-labour-inspectorate-and-prevention-services?check_logged_in=1

² The six case studies are referred to continuously throughout the report. The cases are numbered as 'case NO1', 'case NO2', etc., NO referring to Norway. This is further explained in the chapter on methodology.

See EU-OSHA - European Agency for Safety and Health at Work, *Norwegian Labour Inspectorate's risk-based strategy: supporting occupational safety and health compliance (case NO1)*. Available at:

<https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

See EU-OSHA - European Agency for Safety and Health at Work, *Norway's inter-agency anti-crime cooperation: supporting occupational safety and health compliance (case NO2)*. Available at: <https://osha.europa.eu/en/publications/norways-inter-agency-anti-crime-cooperation-supporting-occupational-safety-and-health-compliance-case-no2>

See EU-OSHA - European Agency for Safety and Health at Work, *Norway's experience and lessons learned from the covid-19 pandemic: supporting occupational safety and health compliance (case NO3)*. Available at: <https://osha.europa.eu/en/publications/norways-experience-and-lessons-learned-covid-19-pandemic-supporting-occupational-safety-and-health-compliance-case-no3>

See EU-OSHA - European Agency for Safety and Health at Work, *Norwegian Labour Inspectorate's call service: supporting occupational safety and health compliance (case NO4)*. Available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-call-service-supporting-occupational-safety-and-health-compliance-case-no4>

See EU-OSHA - European Agency for Safety and Health at Work, *Norway's occupational health service: supporting occupational safety and health compliance (case NO5)*. Available at: <https://osha.europa.eu/en/publications/norways-occupational-health-service-supporting-occupational-safety-and-health-compliance-case-no5>

See EU-OSHA - European Agency for Safety and Health at Work, *Norway's Regional Safety Representatives: supporting occupational safety and health compliance (case NO6)*. Available at: <https://osha.europa.eu/en/publications/norways-regional-safety-representatives-supporting-occupational-safety-and-health-compliance-case-no6>

³ See EU-OSHA - European Agency for Safety and Health at Work, *Enforcement and guidance activities carried out by the Norwegian Labour Inspection Authority – Considerations and transferability*. Available at: <https://osha.europa.eu/en/publications/enforcement-and-guidance-activities-carried-out-norwegian-labour-inspection-authority-considerations-and-transferability>

See EU-OSHA - European Agency for Safety and Health at Work, *External prevention services in Norway – Considerations and transferability*. Available at: <https://osha.europa.eu/en/publications/external-prevention-services-norway-considerations-and-transferability>

In the case studies we take a closer look at central elements of the Norwegian Labour Inspection Authority's priorities over the past decade, the Authority's risk-based strategy, the inter-agency anti-crime cooperation, the call service and lessons from the COVID-19 pandemic. The case studies also go into one of the central external prevention services, the occupational health services (OHSs). In addition, we also look at one of the prevention services that is more specific to the Norwegian OSH system and to our knowledge is not present in other European countries, the scheme of regional safety representatives (RVOs).

The Labour Inspection Authority implements a *risk-based inspection strategy*. Due to the large number of businesses, the Authority is incapable of carrying out inspections in all of them within a reasonable time frame. The strategy aims to reach the businesses whose workforce faces the greatest risk of becoming ill, being injured or being exploited because of their working conditions. The Authority has developed a prediction index, categorising enterprises into four different risk groups using data from previous inspections, and national statistics from the national statistical institute of Norway (Statistics Norway) and the National Institute of Occupational Health in Norway, as well as tip-offs. The index is based on machine learning, trained to recognise characteristics in the enterprises that are commonly linked to such risks. Together with the index, inspectors' experiences, expertise and local knowledge are also of great importance when choosing where to carry out inspections. Together, these means provide the Authority with an effective strategy for improving OSH compliance in Norwegian working life.

The inter-agency anti-crime cooperation is a collaboration between the Norwegian Labour Inspection Authority, the Norwegian Labour and Welfare Administration, the police and the Norwegian Tax Administration aiming to combat work-related crime in Norwegian working life. At the centres, representatives from each agency work in knowledge and control groups, gathering information and performing inspections with actors considered likely to commit work-related crime. One aspect of this is uncovering breaches of legislation concerning working conditions. An example is breaches of OSH regulations to generate profit, an area where OSH work and work-related crime are closely related. The co-location of the agencies has been pointed out as one major benefit of the cooperation as it allows them to make rapid decisions and exchange expertise. Moreover, concerns have been raised regarding challenges related to the sharing of confidential information between the agencies. A regulation was implemented in 2022 to address this challenge.

The pandemic hit Norwegian society and work life in the winter of 2020. That year, the Labour Inspection Authority received an additional allotment letter from the ministry ordering the Authority to take measures to limit the spread of the virus in Norwegian workplaces. The Authority quickly started conducting inspections to this end, but with an emphasis on different tools than before the pandemic. There was a larger share of digital and document inspections. The number of inspections in 2021 was on the same level as the last year before the pandemic, nearly 12,000. The government also decided that accommodation provided by employers for workers in quarantine had to be authorised by the Labour Inspection Authority. They received over 7,000 accommodation applications in 2021, 77% of which were approved.

The call service is the Norwegian Labour Inspection Authority's guide and counselling service. It provides information and guidance to employers, workers, safety representatives and others on OSH-related matters in accordance with the WEA, the General Application Act and additional regulations within the Authority's scope. The service receives questions on everything from psychosocial to musculoskeletal working environment issues and categorises the enquiries it receives into 80 different categories, with working hours being the category that recurs most frequently. The call service answers questions through phone, chat and email and recently introduced an algorithm-based chatbot. In cooperation with the Service Centre for Foreign Workers, the call service provides answers in several languages. It also played a central role in answering work-related questions during the COVID-19 pandemic.

The occupational health service scheme has been evaluated several times in the past seven years. These evaluations have shown that a large proportion of managers and safety representatives believe that OHSs strengthen efforts to create good and healthy working conditions. The net benefit of the OHS scheme is estimated to be 1.3 billion Norwegian kroner (NOK) (approximately €114,270,000 at the time of writing). Nevertheless, an expert group pointed out that there is room for improvement, emphasising that OHSs first and foremost should focus on helping businesses with their systematic OSH work and

not on providing personal healthcare to workers. In cooperation with the social partners, the government made several changes to the regulation concerning the OHS scheme, strengthening the emphasis in the WEA on OHS as a preventive service first and foremost.

The regional safety representative scheme is an extension of the WEA regulations concerning safety representatives that stipulates that all businesses with more than 10 employees are obligated to elect a safety representative. The safety representative can stop work, work operations or the use of unsafe equipment in the event of imminent danger to life or health. To protect smaller firms in vulnerable industries, namely building, construction, cleaning, and hotels and restaurants, a system of RVOs has been established. The RVOs oversee work in businesses that have not elected their own safety representative; they can fill the role of a company's safety representative until the business has elected one. In 2022, RVOs visited close to 7,000 businesses. When acting as a safety representative, an RVO can stop dangerous work. This is most common in the building sector; RVOs in this sector stopped work in accordance with WEA section 6-3 a total of 1,696 times in 2022.

For all six case studies, informants pointed out that there are valuable aspects of the activities of the Labour Inspection Authority and internal and external prevention services that could also be valuable to EU Member States. Nonetheless, for all cases, there are some country-specific underlying factors, such as legislation, authorisations, orders from different ministries, financing arrangements, research institutions and the like, that are important. An interpretation of these activities and services, as well as national adjustments, must therefore also be taken into consideration when discussing their transferability between EU Member States.

Within the framework of this study, our aim has been to present an overview the Norwegian Labour Inspection Authority as well as OSH prevention services. Nonetheless, the dual approach of enforcement and guidance from the Authority, together with other external and internal prevention services, provides an important contribution to building a safety culture in Norwegian working life.

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